

From: Hill, Brian [<mailto:BHill@milchev.com>]

Sent: Thursday, October 18, 2012 8:20 AM

To: Robert J. Tolchin

Cc: dschoen593; Schoenlawfirm@gmail.com; M Haller; rachelmayweiser@gmail.com; Hibey, Richard; Rochon, Mark

Subject: RE: Sokolow Depositions

Bob,

I write in response to your email below.

I am not willing to engage in rhetorical debate with you. I have made known to you our views on the importance of the requirement imposed by Rule 30(b)(6) and Judge Ellis of prompt and complete disclosure of all of the 30(b)(6) topics you intend to notice for our clients.

Your prior emails in this chain have not stated that they contain the complete list of the 30(b)(6) topics you intend to notice. That is why I asked if your prior email completed the list of 30(b)(6) topics. You didn't answer my question, but your response suggests that you intend to seek testimony from our clients on still unlisted topics.

I advised you a week ago that unless we received the 30(b)(6) topics promptly, we would likely not be able to produce deponents in November. I can think of no legitimate reason for you to not have given us all the topics a week ago. Perhaps you think that by failing to do so you will be able to require us to produce witnesses on short notice and then argue that the witnesses are unprepared. I doubt Judge Ellis will allow that.

The bottom line is that unless you give us all the 30(b)(6) topics immediately, or tell us that you have done so, we are not going to be in a position to produce deponents next month.

Regards,

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